

SENATE BILL 2305

By Campbell

AN ACT to amend Tennessee Code Annotated, Title 39,
relative to unlawful restraint of a dog.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 14, Part 2, is amended by
adding the following as a new section:

(a) As used in this section:

(1) "Adequate shelter" means a sturdy structure:

(A) That provides the dog protection from inclement weather; and

(B) With dimensions that allow the dog while in the shelter to
stand erect, sit, turn around, and lie down in a normal position;

(2) "Collar" means a band of material specifically designed to be placed
around the neck of a dog;

(3) "Harness" means a set of straps constructed of nylon, leather, or
similar material, specifically designed to restrain or control a dog;

(4) "Inclement weather" includes rain, hail, sleet, snow, high winds,
extreme low temperatures, or extreme high temperatures;

(5) "Owner" means a person who owns or has custody or control of a
dog;

(6) "Properly fitted" means, with respect to a collar or harness, a collar or
harness that:

(A) Is appropriately sized for the dog based on the dog's
measurements and body weight;

(B) Does not choke the dog or impede the dog's normal breathing or swallowing; and

(C) Does not cause pain or injury to the dog; and

(7) "Restraint" means a chain, rope, tether, leash, cable, or other device that attaches a dog to a stationary object or trolley system.

(b) An owner shall not leave a dog outside and unattended by use of a restraint unless the owner provides the dog access to:

(1) Adequate shelter;

(2) An area that allows the dog to avoid standing water and exposure to excessive animal waste;

(3) Shade from direct sunlight; and

(4) Potable water.

(c) An owner shall not restrain a dog outside and unattended by use of a restraint that:

(1) Is a chain;

(2) Has weights attached;

(3) Is shorter in length than the greater of:

(A) Five (5) times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail; or

(B) Ten feet (10'); or

(4) Is attached to a collar or harness that is not properly fitted.

(d) A person commits an offense if the person knowingly violates this section.

The restraint of each dog in violation of this section is a separate offense.

(e) An offense under this section is a Class C misdemeanor. A second or subsequent offense under this section is a Class B misdemeanor.

(f) This section does not preclude the state from electing to prosecute conduct in violation of this section under any other applicable section.

(g) This section does not apply to:

(1) The use of a restraint on a dog in a public camping or recreational area in compliance with the requirements of the public camping or recreational area as defined by a federal, state, or local authority;

(2) The use of a restraint on a dog while the owner and dog engage in, or actively train for, an activity conducted under a valid license issued by this state, provided the activity is associated with the use or presence of a dog;

(3) The use of a restraint on a dog while the owner and dog engage in conduct directly related to the business of shepherding or herding cattle or livestock;

(4) The use of a restraint on a dog while the owner and dog engage in conduct directly related to the business of cultivating agricultural products;

(5) A dog left unattended in an open-air truck bed only for the time reasonably necessary for the owner to complete a temporary task that requires the dog to be left unattended in the truck bed;

(6) A dog taken by the owner, or another person with the owner's permission, from the owner's residence or property and restrained by the owner or the person for not longer than the time necessary for the owner to engage in an activity that requires the dog to be temporarily restrained;

(7) A dog restrained while the owner and dog are engaged in, or actively training for, hunting or field trialing;

(8) A dog that is restrained by attachment to a trolley system that allows the dog to move along a running line for a distance equal to or greater than the lengths specified in subdivision (c)(3); or

(9) A person from walking a dog with a handheld leash.

(h) This section does not preempt a local regulation relating to the restraint of a dog or affect the authority of a political subdivision to adopt or enforce an ordinance or requirement relating to the restraint of a dog if the regulation, ordinance, or requirement:

(1) Is compatible with and equal to or more stringent than the requirements of this section; or

(2) Relates to an issue not specifically addressed by this section.

SECTION 2. This act takes effect July 1, 2022, the public welfare requiring it.